

KURTIS & ASSOCIATES, P.C.

SUITE 200
1000 POTOMAC STREET, N.W.
WASHINGTON, D.C. 20007

—
(202) 328-4500
TELECOPIER (202) 328-1231

Report to the Federal Communications Commission on Carrier Efforts Toward Attaining Digital TTY Accessibility, and the Status of the Various Technological Solutions, as Provided by CC Docket No. 94-102, In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems

VTel Wireless, Inc. ("VTel"), by its attorneys, pursuant to the Federal Communications Commission's ("Commission") *Fourth Report and Order* in CC Docket No. 94-102,^{1/} and the subsequent *Order* in the same proceeding,^{2/} hereby files a Quarterly Report for the quarter ending September 30, 2002, detailing its efforts towards attaining digital text telephone ("TTY") accessibility, and the status of the various technological solutions that will help it attain that goal.

In the *Fourth Report and Order* the Commission established December 31, 2001 as the new deadline for carriers operating digital wireless systems to have obtained all software upgrades and equipment necessary to make their systems capable of transmitting 911 calls from TTY devices. It further established June 30, 2002 as the deadline for carriers to integrate, test and deploy the technology in their systems in conjunction with the public safety community. Because VTel did not initiate commercial operations of its digital GSM PCS system until April of 2002, the December 31, 2001 deadline was not applicable. However, due to implementation issues which could not be resolved before June 30, 2002, VTel requested waiver of that deadline until December 31, 2002.^{3/} In its recently released *Order* in this proceeding, the Commission granted VTel's request; in order to be assured that the new deadline will be met without complication, the Commission required VTel to continue to submit Quarterly Reports fifteen days after the end of each quarter, until implementation.^{4/} VTel now files this instant report with the Commission.

^{1/} In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *Fourth Report and Order*, CC Docket No. 94-102, 15 FCC Rcd 25216, 65 Fed. Reg. 82293 (December 28, 2000), ("*Fourth Report and Order*").

^{2/} In the Matter of Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, *Order*, CC Docket No. 94-102, 17 FCC Rcd 12084, (rel. June 28, 2002) ("*Order*"). (granting VTel waiver of 20.18(c) until December 31, 2002).

^{3/} See, VTel Wireless Inc. Petition for Waiver of the June 30, 2002 Deadline Regarding TTY Access to Digital Wireless Systems, CC Docket No. 94-102, FCC 00-436 (June 19, 2002).

^{4/} See, *Fourth Report and Order* (wherein the initial Quarterly Reporting requirement was mandated). See also, *Order* (wherein the Quarterly Reporting requirement was continued for carriers who were granted waiver of 20.18(c)).

I. Carrier Background

In April of 2002, VTel initiated commercial operations to provide digital GSM PCS in Marquette, MI BTA (BTA 292, Block F).^{5/} VTel does not offer analog AMPS service. As detailed below, and as acknowledged by the Commission by its grant of VTel's request for waiver of Commission Rule 20.18(c) until December 31, 2002, compliance with the Commission's June 30, 2002 deadline was impractical. By way of background, in reaching a decision on how to provide the most efficient operations for its customer base, VTel elected not to purchase its own switch. Instead, VTel made arrangements to support its market area through NPI Omnipoint Wireless, LLC's ("NPI") host switch and base station controller ("BSC"), located in Traverse City, Michigan. The only portion of the network infrastructure owned by VTel is an AirNet Communications ("AirNet") AdaptaCell Model BTS3000 base station equipment located in the Marquette, MI BTA. During the second quarter of 2002, VTel received confirmation from AirNet that this base station equipment is TTY capable. However, during the same time period, NPI advised VTel that the NPI host switch, which is manufactured by Nortel Networks, Inc. ("Nortel") and its AirNet BSC would not be compliant with Commission Rule 20.18(c) by June 30, 2002. Therefore, even though VTel's AirNet base station equipment is TTY compliant, VTel cannot be certain of digital TTY compatibility on its network until after the NPI host switch and BSC are TTY compliant. It is for these reasons that VTel petitioned for waiver of the June 30, 2002 compliance deadline.

II. Access to 911 Through TTY Devices

A. Development Activities

- (1) *Network Infrastructure Software Development*
- (2) *Handset Development and Testing Plans*
- (3) *Beta Testing and Lab Testing*
- (4) *Release and General Availability to Carriers of Network Infrastructure Software*
- (5) *Availability to Carriers of Full Acceptance Test Units*
- (6) *Efforts Toward Achieving Digital Wireless Solution Compatibility With Enhanced TTY Devices*

All equipment owned by VTel and deployed in its market is TTY-compatible. Accordingly, there is no further action that can be taken by VTel to achieve TTY-compatibility.

B. Testing and Deployment Activities

Once the requisite equipment is installed on NPI host switch, and once VTel is able to obtain commercially available TTY-compliant GSM handsets, it will proceed with respect to items 7 and 8 below. Nonetheless, VTel is not responsible for, nor has any control over, the public safety community obtaining digital TTY-compatible equipment.

^{5/} KNLH722 (BTA282F).

- (7) *Carrier Coordination of Testing With PSAP*
- (8) *Carrier Testing Activities, Including Field Testing, Consumer End-to-end Testing, and Other Necessary Tests*
- (9) *Retail Availability of Necessary Consumer Equipment*
- (10) *Geographic Scope of Network Infrastructure Deployment*

III. Conclusion

VTel has been granted a waiver of the Commission's June 30, 2002 deadline for compliance with 47 C.F.R. 20.18(c), until December 31, 2002. As required, in accordance with the Commission's recent *Order*, VTel will provide the Commission with Quarterly Reports on the status of development and deployment, as advised by NPI, and as advised by vendors of TTY-compatible GSM handsets. Based on the fact that AirNet has advised VTel that its base station equipment is TTY-compliant, and on its understanding that Nortel has tested and approved software of the same type and standard that VTel anticipates NPI will install on the NPI host switch, VTel anticipates that, barring any technical difficulties, it will be fully compliant with Commission Rule 20.18(c) upon deployment of the requisite TTY-compliant Nortel infrastructure equipment on the NPI host switch. VTel also understands that it remains obligated to test its AirNet base station equipment in conjunction with the NPI host switch and BSC, once they do become TTY-compliant. However, VTel reminds the Commission that VTel has no control over NPI or its scheduling with Nortel and AirNet. Nor does VTel have any first-hand knowledge as to any broader issues which may affect NPI's schedule for achieving TTY compatibility. Therefore, if the requisite upgrades to the NPI host switch and AirNet BSC are not accomplished by NPI in sufficient time to enable VTel to test its AirNet base station equipment before the December 31, 2002 deadline granted to VTel in the Commission's *Order*, VTel will seek a waiver of the December 31, 2002 deadline for full compliance with Commission Rule 20.18(c).

Respectfully Submitted,
VTel Wireless, Inc.

Dated: October 14, 2002

/S/ Anna E. Ward

Michael K. Kurtis

Anna E. Ward

Its Attorneys

Kurtis & Associates, P.C.
1000 Potomac Street, N.W.
Suite 200
Washington, D.C. 20007
(202) 328-4500

CERTIFICATE OF SERVICE

I, Ruth E. Garavalia, a secretary with the law firm of Kurtis & Associates, P.C., do hereby certify that I have this 14th day of October 2002, filed the foregoing “REPORT TO THE FEDERAL COMMUNICATIONS COMMISSION ON CARRIER EFFORTS TOWARD ATTAINING DIGITAL TTY ACCESSIBILITY, AND THE STATUS OF THE VARIOUS TECHNOLOGICAL SOLUTIONS, AS PROVIDED BY CC DOCKET NO. 94-102, IN THE MATTER OF REVISION OF THE COMMISSION’S RULES TO ENSURE COMPATIBILITY WITH ENHANCED 911 EMERGENCY CALLING SYSTEMS” electronically with the Federal Communications Commission’s Electronic Comment Filing System. I have also filed a copy of this report with the Federal Communications Commission’s copy contractor, Qualex International. In addition, a copy of this report has been provided to Melinda Littell of the Commission’s Wireless Telecommunications Bureau.

/s/ Ruth E. Garavalia
Ruth E. Garavalia